

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ERRATA SHEET
FOR**

TENTATIVE ORDER NO. R9-2002-179

**WASTE DISCHARGE REQUIREMENTS AND
SECTION 401 WATER QUALITY CERTIFICATION
FOR
PARDEE ~~CONSTRUCTION COMPANY~~HOMES
PACIFIC HIGHLANDS RANCH
PHASE 3 & 4 (UNITS 5 THROUGH 16) PROJECT
SAN DIEGO COUNTY**

The following changes were made at the request of the discharger. Changes were made to correct the legal name of the discharger, which was recently changed, and to correct the project description. Deletions are indicated by strike-outs, and additions are indicated by underlines.

Finding No. 1

Pardee ~~Homes Construction Company~~ (hereinafter discharger) submitted an application for 401 Water Quality Certification and an Application/Report of Waste Discharge on October 22, 2001. The discharger proposes to construct Phases 3 and 4 within a the Pacific Highlands Ranch master planned community. The entire community (Pacific Highlands Ranch) incorporating includes approximately 5,000 new residential dwelling units on approximately 2,652 ~~1,665~~ acres within the City of San Diego, California. Phases 3 and 4 consist of 1,855 residential units on approximately 692 acres. ~~Pacific Highlands Ranch encompasses approximately 2,652 acres and abuts the northerly limits of the Rancho Penasquitos community and Black Mountain Park.~~ The project site is bounded by Fairbanks Ranch and La Zanja Canyon to the north, Torrey Highlands (Subarea IV) to the east, Del Mar Mesa (Subarea V) to the south, and Carmel Valley to the west. ~~Approximately 52 percent of Pacific Highlands Ranch area will be used for residential, commercial, and public developments. The remaining area of~~ Within the entire community, approximately 48 percent (1,275 acres) of the area is within the City of San Diego's Multiple Habitat Planning Area (MHPA) and will be preserved as open space.

Finding No. 2

The implementation of ~~the project~~ Phases 3 and 4 will result in the permanent discharge of waste, defined as the placement of fill material (e.g., soil, riprap, culverts), into 1.46 acres of waters of

the United States, including wetlands (0.25 acres) and unvegetated waters of the U.S. (1.21 acres), that are tributaries to the San Dieguito and Penasquitos Hydrographic Units.

Finding No. 3

The project may indirectly impact beneficial uses of waters of the State through the discharge of urban runoff pollutants (e.g., oil and grease, heavy metals, pathogens, nutrients, etc.) from the proposed development. The project has the potential to impact Los Penasquitos Lagoon, which is listed as impaired for sediment on the 1998 303 (d) list, through the discharge of sediment related to construction activities.

Finding No. 10

The City of San Diego prepared an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act and this document was certified on June 11, 1998. The EIR identified the following mitigation measures to reduce project impacts to water quality below a level of significance:

Issue No.1: Water Quality - Rate and amount of runoff and alterations to the course or flow of floodwaters

- a. Grading and other surface-disturbing activities shall be planned to avoid the rainy season (e.g., November through March) or shall employ construction phase erosion control measures, including the short-term use of gravel bags, matting, mulch, berms, hay bales, or similar devices along all graded areas to minimize sediment transport. The exact design location, and schedule of use devices shall be determined pursuant to direction and approval by the City Engineer.

Finding No. 11

The discharger has developed the *Runoff Management Plan for Pacific Highland Ranch* (Plan) (RBF Consulting; April 2002) the portion owned by Pardee Homes that provides for regional BMPs, as well as structural and non-structural BMPs throughout the development area. The regional facilities consist of twelve extended detention basins along Gonzales Canyon and McGonigle Canyon tributaries. Structural BMPs include curb inlet baskets, and biofilters located within the development areas. The Plan identifies the following specific BMPs to protect water quality:

- a. Creation of 12 detention basins (total of approximately 16 acres) that will be used during construction and will remain in place as post-construction BMPs to receive urban runoff. Of the 12 detention basins, nine are designed to provide flood-control by reducing the velocity of the flow and providing water quality benefits, and three are designed to provide only water quality benefits. Locations of all proposed basins are shown on Figure 13 of RBF Runoff Management Plan.
- b. Vinyl sheet pile drop structures with riprap at the upstream and downstream sides will be used to provide the maximum protection and the minimum impacts to the

- streambed and its vegetation. Drop structures with low drop heights (3 feet) spaced every 300 feet would mitigate for potential long-term channel response.
- c. Installation of drain inlet filter inserts (e.g., Fossil Filter) that will be used to remove sediment, constituents adsorbed to sediment, and oil & grease. The inserts will be inspected and maintained by the Master Assessment District or Master Homeowners Association and their medium will be replaced as needed.
 - d. Installation of curb inlet baskets that will be used to primarily capture material such as leaves, clippings, and other floating trash. As needed inspections and maintenance of each curb inlet will be performed to ensure their effectiveness.
 - e. Biofiltration swales/strips will be used along street parkways, within urban amenities such as parks and school turf areas.

The Runoff Management Plan, in addition to the Best Management Practices identified in the EIR, will ensure that the proposed project does not contribute to the further impairment of Los Penasquitos Lagoon.

Finding No. 13

The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Pardee Homes (hereinafter, discharger), in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

Mitigation Provision 2a

The 2.16 acres of created and restored wetlands areas must possess the three criteria (wetland hydrology, hydrophytic vegetation, and hydric soils) necessary to be delineated as a Corps jurisdictional area;

Mitigation Provision 2e

Species diversity, as measured by one two randomly located, five-meter by 50-meter belt transects per acre, shall be 60, 70, 75, and 75 percent for years 2, 3, 4, and 5, respectively.